

REMARKS

Claims 11 through 21 were presented for examination in the present application and remain pending for consideration upon entry of the instant response.

Claims 17 through 19 have been allowed.

The abstract has been objected to. The abstract has been amended accordingly. Reconsideration and withdrawal of the objection to the abstract are respectfully requested.

Claims 11 through 13 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,058,296 ("Mischke"). Claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mischke, in view of Design choice. Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Mischke, in view of U.S. Patent No. 5,954,607 ("Nitsche"). Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,138,840 ("Oguchi"), in view of Mischke. Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Oguchi, in view of Mischke, and further in view of Nitsche.

Independent claim 11 recites "A hydrodynamic coupling comprising... a drive shaft driving said primary impeller ...; and a plurality of evacuation channels for evacuating said working medium from said toroidal working chamber, said plurality of evacuation channels being formed in said drive shaft radially about said at least one supply channel, said plurality of evacuation channels being formed from said first end up to at least said second end, said first end being located

a distance from said toroidal working chamber (emphasis added)".

Likewise, independent claim 20 recites a "hydrodynamic coupling comprising... a drive shaft driving said primary impeller...; and a plurality of evacuation channels for evacuating said working medium from said toroidal working chamber, said plurality of evacuation channels being formed in said drive shaft radially about said at least one supply channel, said plurality of evacuation channels being formed from said first end up to at least said second end, said first end being located a predetermined distance from said toroidal working chamber (emphasis added)".

The Office Action asserts that "Mischke discloses a hydrodynamic coupling comprising... a drive shaft (2) driving said primary impeller (4,9)". See, page 3, line 20 - page 4, line 3. Applicant respectfully disagrees.

Mischke discloses that "The hydrodynamic clutch 1...which drivingly connects an internal combustion engine... with a cooling fan 18 comprises a stud shaft 2, means, such as a bracket 3 fixed to a supporting frame, for mounting the stud shaft in non-rotary condition, a primary rotor 6,7 which forms a housing encasing a secondary rotor 5 (emphasis added)".

Thus, reference number 2 does not refer to a drive shaft as asserted in the Office Action. Rather, reference number 2 refers to a stud shaft that does not rotate together with the primary impeller and is not able to drive the primary impeller. To the contrary, the stud shaft 2 is stationary. Moreover, since stud shaft 2 is stationary as well as so-scooping member

25, 26, there is only a single bore 32. This is clearly contrary to claim 11 which requires a plurality of evacuation channels.

Thus, Mischke fails to disclose or suggest either the "drive shaft" or the "plurality of evacuation channels" required by claim 11. In addition, none of the cited art, either alone or in combination, discloses or suggests the drive shaft or plurality of evacuation channels recited by claims 11 and 20. For at least these reasons, claims 11 and 20 are in condition for allowance. Claims 12 through 16 depend from independent claim 11 and are in condition for allowance for at least the reasons set forth above with regard to claim 11. Claim 21 depends from independent claim 20 and is in condition for allowance for at least the reasons given above for claim 20.

Moreover, as noted above, claim 16 was rejected over the combination of Mischke and Nitsche. The Office Action acknowledges that "Mischke fails to disclose said primary impeller being changeable from non-locked position to a locked position, wherein in the locked position said primary impeller is locked against rotation so that the hydrodynamic coupling exercises the function of a retarder when said second impeller is driven". See, page 6, lines 7-11. Nevertheless, the Office Action concludes that "It would have been obvious... to have utilized said primary impeller being changeable from non-locked position to a locked position, wherein in the locked position said primary impeller is locked against rotation so that the hydrodynamic coupling exercises the function of a retarder when said secondary impeller is driven, as taught by Nitsche, to control the operating condition of the Mischke coupling". See,

page 6, line 18 - page 7, line 2. Applicant respectfully disagrees.

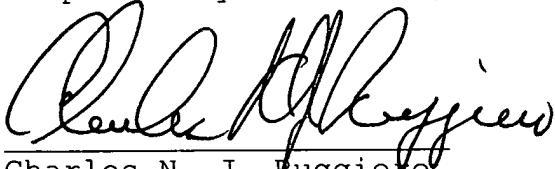
It would not be possible to combine the teachings of Mischke and Nitsche simply because it is not possible to lock the primary rotor 6, 7 of the hydrodynamic coupling of Mischke since it is always driven by the V-belt. Furthermore, it is not possible to directly drive the secondary impeller attached to the fan 18. Thus, it would not be possible to modify the hydrodynamic coupling of Mischke as asserted in the Office Action.

For all of the reasons stated above, Applicant respectfully submits that claims 11 through 16, 20, and 21 are in condition for allowance. Reconsideration and withdrawal of the rejections to claims 11 through 16, 20, and 21 are respectfully requested.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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